

Date of Facsimile Transmission: September 5, 2006

Attorney Docket No.: CST-138 CIP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**
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SEP 05 2006

APPLICANTS: Comb *et al.*
ASSIGNEE: CELL SIGNALING TECHNOLOGY, INC.
SERIAL NUMBER: 10/014,485 EXAMINER: Karen A. Canella
FILING DATE: November 13, 2001 ART UNIT: 1643
FOR: PRODUCTION OF MOTIF-SPECIFIC AND CONTEXT-INDEPENDENT ANTIBODIES
USING PEPTIDE LIBRARIES AS ANTIGENS

September 5, 2006
Danvers, Massachusetts

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO REVIVE UNINTENTIONALLY
ABANDONED APPLICATION**
(37 C.F.R. §1.137(b))

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The present Petition is filed in response to a Notice of Abandonment (for failure to timely pay the issue fee due), dated August 17, 2006, received in the above-identified patent application. Pursuant to 37 C.F.R. §1.137(b), Applicants respectfully petition and request that the above-identified, allowed patent application be revived and advanced to issuance, since Applicants' failure to timely pay the issue fee due was unintentional.

Applicants timely filed, on July 12th, 2006, the Fee Transmittal (form PTOL-85) authorizing the Commissioner to charge the issue and publication fees due (\$1,000.00) to their Deposit Account No. 50-1774 (*see attached*). The Notice of Abandonment states that \$300 of this fee was paid, but that the remaining \$700 was not timely submitted. Applicants' attorney subsequently spoke with the Examiner in this case (K. Canella) and was informed that the Notice of Abandonment issued because Applicants' Deposit Account had insufficient funds to pay the entire issue fee due. Applicants' attorney hereby states that this fact (insufficient funds) was unknown to Applicants at the time the Fee Transmittal was filed, and that the insufficiency in funds in Deposit Account No. 50-1774, which resulted in the non-timely payment of the entire issue fee due, was unintentional. Applicants have since replenished the funds in this Deposit Account.

Accordingly, Applicants respectfully request that this application be revived, and advanced to issuance. The Commissioner is hereby authorized to charge any or all of the issue and publication fees that may still be due, together with the Petition Fee of \$250.00 (small entity) pursuant to 37 C.F.R. §1.17 (I), to Deposit Account No. 50-1774.

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Ser. No. 10/014,485
Inventors: Comb *et al.*

If there are any questions regarding this Petition, the undersigned attorney respectfully requests that he be contacted at the direct dial number provided.

Respectfully submitted,



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